

## **MINUTES OF THE HOWARD COUNTY PLANNING BOARD – May 28, 2009**

Members Present: Dave Grabowski, Chairperson; Gary Rosenbaum, Vice-Chair; Paul Yelder

Members Absent: Linda Dombrowski; Tammy CitaraManis

DPZ Staff Present: Marsha McLaughlin,, Jeannine Matthews, William Mackey, Bob Lalush, Randy Clay, Mark Deluca

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### **ZB 1072M - Dominic and Tracy Totaro**

Fred Coover, representing Totaro stating that this parcel can only be developed as site plans dictate.

Rob Vogel explained that Mr. Coover interviewed Mr. Vogel asking various character questions about his experience and background in land development. Mr. Vogel explained several photos to the Board that, in his opinion, demonstrated his experience. Mr. Vogel stated that B-1 is suitable zoning that provided adequate setbacks for adjacent residential properties.

Mr. Grabowski questioned where the setback exists and the how far from the right of way from Route 1. Mr. Vogel answered that the setback and the right of way is currently 30 feet.

Mr. Coover asked the Board to approve the technical staff report as revised

William Bruss spoke in favor of the plan.

Dennis Thornton, a Savage resident for 50 years spoke against the plan, asking the Board to leave the area blank.

Myra Phelps of Savage spoke against the plan stating her concerns with the height of the building, the inadequacy of space and traffic issues.

Mr. Grabowski questioned if Planning Board could proceed with the changes or would the plan have to go back to SRC. Ms. McLaughlin stated that the plan may need minor revisions.

### **Motion:**

Mr. Rosenbaum motioned to accept the staff report for denial and Mr. Yelder seconded the motion.

### **Discussion:**

Mr. Rosenbaum stated that there is a change in the neighborhood, however the site may not be appropriate.

Mr. Yelder stated that given the adjacent parcels, he doesn't see RSC as a mistake.

Mr. Grabowski stated his agreement with the Board.

### **Vote:**

3 Yea

0 Nay. The motion was carried.

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### **ZB1078M – Gorman Crossing**

This property was rezoned through piecemeal rezoning. The petitioner is making a number of different cases stating that the property is no longer appropriately zoned. DPZ has concerns with this conclusion that it is a mistake. (RS is in keeping with the neighborhood). Staff is recommending approval.

Mr. Rosenbaum questioned how the plan was approved as Residential Mobile Home (RMH).

Katherine Taylor, representing Gorman, stated that the Petitioner agreed with staff. She explained that the parcel was an old mobile home park and was clearly a zoning mistake and that the owner's did petition the County during Comprehensive Zoning to rezone the property.

Joe Rutter stated that he agreed with the staff and that it was an excellent example of redevelopment for the Route 1 Corridor.

#### **Motion:**

Mr. Yelder moved to approve the technical staff report and Mr. Rosenbaum seconded the motion.

#### **Discussion:**

Mr. Yelder stated that after all is reviewed, he didn't see much of a difference.

Mr. Rosenbaum stated his agreement with the Board.

#### **Vote:**

3 Yea

0 Nay. The Motion was carried.

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### **ZB 1079M – High's of Baltimore**

There is no proof of mistake of change and the staff recommended Approval. Ms. Koldewey submitted a revised landscape buffer from the Petitioner.

Mr. Rosenbaum questioned why the development was limited to 1.5 acres. Ms. Koldewey explained that it was limited use.

Tom Meachum agreed with the recommendation and stated that the Petitioner would work with SHA to amend all suggestions.

Mr. Grabowski questioned if an underground tank existed on the parcel. Mr. Revelle stated that it is in compliance with MDE and that it is being monitored..

#### **Motion**

Mr. Rosenbaum motioned to approve staff recommendation and Mr. Yelder seconded the motion.

#### **Discussion:**

Mr. Rosenbaum stated that he wanted to recognize the issue of contamination and monitoring by MDE in the Board's recommendation and that it should continue. He also stated that the store was a good fit.

Mr. Yelder and Mr. Grabowski agreed with their colleague.

**Vote:**

3 Yea

0 Nay. The motion was carried.

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**ZB 1073M – Harbin Farm**

Staff recommended approval stating that the parcel had never been presented to the Zoning Board and that the Zoning Board did not know that the property didn't conform to a non-conditional use. They also stated that B-1 is most appropriate zoning.

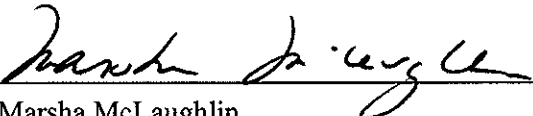
Mr. Tom Meachum, representing Kim Harbin, stated that the Community had accepted the use and that the farming had stopped in 2003. He also stated that the case is a mistake in zoning and that the parcel is considered a Farmer's Market.

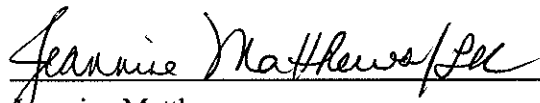
Mr. Rosenbaum questioned why the Harbins did not question it when they found out their use was non-conforming. Mr. Meachum responded that the Harbins did not have land –use counseling.

Mr. Grabowski stated that the record would remain open until 6:30 p.m. on June 11, 2009.

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THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT 11:16 P.M.

  
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Marsha McLaughlin  
Executive Secretary

  
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Jeannine Matthews  
Recording Secretary